

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1 to 3, 5 to 8, and 10 to 16 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Entry of Amendment

It is respectfully requested that the present amendment should be entered into the official file in view of the fact that the amendments to the claims automatically place the application in condition for allowance. Alternatively, if the Examiner does not agree that the application is in condition for allowance, it is requested that the present amendment should be entered for the purpose of appeal. Some of the additional material added to claim 1 has been previously presented in claims 4 and 9, and as to that material, no new issues are involved. Applicants submit that the remaining language does not require the Examiner to perform additional search and consideration.

Rejection Under 35 U.S.C. § 102

Claims 1, 2, 4, 5, 7-9, 15 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP 5-124778 A. This rejection is respectfully traversed.

The Examiner states that the reference shows a kit for installing shaft equipment for an elevator including a suspension element temporarily attached to the upper part of a wall of the elevator shaft, suspension means for supporting shaft equipment at least during installation, the suspension means being connectable to a hoisting device carrying an elevator car.

Applicants submit that this reference does not anticipate claim 1 as present amended. Claim 1 has been amended to specifically recite more than one suspension element, where an overspeed governor is temporarily mounted to one suspension element, the suspension means is

temporarily mounted to another suspension element and a further suspension element forms an auxiliary suspension means during installation.

The Japanese reference shows a method for installing a hydraulic elevator. The installation for such an elevator is different from that for an elevator which uses cables. Claim 1 recites that the roof of the elevator car is usable for the installation of the equipment. This is not the case in the reference. Instead, a separate working cage is used which is then removed in the normal elevator car installed. By using the present kit, the installation is simplified.

Furthermore, claim 1 as amended now specifically recites uses for the three suspension elements. These particular arrangements are not described in the Japanese reference and accordingly, claim 1 is allowable thereover.

Claims 1, 2, 4, 5, 7, 8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Chapelain et al. (U.S. Patent No. 5,000,292). This rejection is respectfully traversed.

The Examiner states that Chapelain shows a kit for installing shaft equipment including a suspension element 15, a suspension means 35 connectable to a hoisting device, a supporting means 9, 13, 21 and a mounting tool in the sense of the cabin.

Applicants submit that claim 1 is also not anticipated by this reference. In particular, Applicants have amended the claim to specifically recite the use of the suspension elements in that the overspeed governor is temporarily mounted to one suspension element, the suspension means is temporarily mounted to another suspension element, and a further suspension element forms an auxiliary suspension means during installation. Applicants submit that the reference does not show these three suspension elements and their uses. Accordingly, Applicants submit that claim 1 is also allowable over this reference.

Claims 2, 3, 5-8 and 10-16 depend from claim 1 and as such are also considered to be allowable. In addition, each of the claims recite other features which make them additionally allowable. For example, claims 2, 3, 5 and 6 describe the mounting tool which is not seen in the

references. The other claims likewise describe the supporting means, the shaft equipment, the hoisting rope, the hoisting device, safety pedal and the elevator car. Applicants submit that these claims are additionally allowable over both of these references based on their additional limitations.

Rejection Under 35 U.S.C. § 103

Claims 3, 6 and 11 - 13 stand rejected under 35 U.S.C. § 103 as being obvious over Chapelain et al. Claims 3, 6 and 10-14 stand rejected under 35 U.S.C. § 103 as being obvious over the Japanese reference. The Examiner indicates that the dependent claims would be obvious over the same references since it is known to use a bar with a hook for mounting and to place the hoisting device at the top of the elevator shaft. Even if these features would be obvious, Applicants submit that these claims remain allowable based on their dependency from allowable claim 1.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

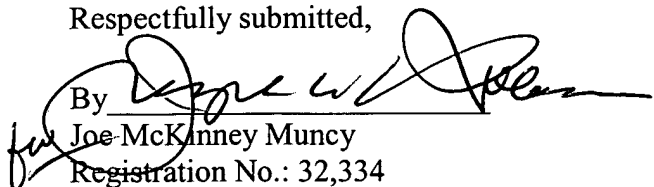
Application No. 10/053,578
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Docket No.: 1381-0284P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 27, 2006

Respectfully submitted,

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